

AO 451 (Rev. 11/91) Certification of Judgment

U. S. DISTRICT COURT - DE
MISC. CASE # 06-33

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN
ANOTHER DISTRICT**

Carpenter's Health and Welfare Fund
of Philadelphia and Vicinity, et al

v.

Case Number: 05-cv-3421

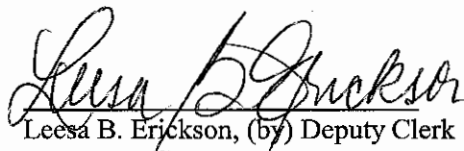
Byrne Millwork, Inc.

I, Michael E. Kunz, Clerk of the United States district court certify that the attached judgment is a true and correct copy of the original judgment entered in this action on December 14, 2005, as it appears in the records of this court, and that no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure have been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court.

MICHAEL E. KUNZ
Clerk

February 6, 2006
Date


Leesa B. Erickson, (by) Deputy Clerk

U. S. DISTRICT COURT - DE
MISC. CASE # 06-33

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARPENTERS HEALTH AND WELFARE
FUND OF PHILADELPHIA AND VICINITY, et al.

CIVIL ACTION

FILED

Plaintiffs

DEC 14 2005

v.

MICHAEL E. KUNZ, Clerk
By [Signature] Dep. Clerk

BYRNE MILLWORK, INC.

Defendant

NO. 05-3421 (ECR)

CONSENT ORDER AND JUDGMENT

Upon agreement of the parties, Plaintiffs, Carpenters Health and Welfare Fund of Philadelphia and Vicinity, Carpenters Pension and Annuity Fund of Philadelphia and Vicinity, Carpenters Savings Fund of Philadelphia and Vicinity, Carpenters Joint Apprentice Committee and the National Apprenticeship and Health and Safety Fund, Carpenters Political Action Committee (respectively "Welfare Fund," "Pension Fund," "Savings Fund," "Apprentice Committee," "NAHS," and "PAC," and collectively, the "Funds"), Metropolitan Regional Council of Carpenters, Eastern Pennsylvania, State of Delaware and Eastern Shore of Maryland ("Union"), and Edward Coryell ("Coryell" and together with the Funds and Union, the "Plaintiffs"), and Defendant, Byrne Millwork, Inc. ("Company" or "Defendant"), hereby stipulate to entry of judgment in favor of Plaintiffs and against Defendant, Byrne Millwork, Inc., as set forth herein:

WHEREFORE, this 14 day of December, 2005, judgment is hereby entered in favor of Plaintiffs and against Defendant and it is ORDERED by the Court that:

1. Judgment shall be and hereby is entered in favor of Plaintiffs and against Defendant in the amount of \$118,126.37 which includes the following:

(a) Contributions from January 1, 2002 through July 5, 2005 in the amount of

A TRUE COPY CERTIFIED TO FROM THE RECORDS

DATE: FEB 03 2006

ATTEST:

Steve Tomos

DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

\$97,346.65;

(b) Interest on the unpaid contributions set out in ¶1 above through November 7, 2005 in the amount of \$5,639.86. This amount shall continue to bear interest as provided in 29 U.S.C. §1132(g)(2) and 26 U.S.C. §6621, as from time to time amended, until the date of actual payment.

(c) Liquidated damages in the amount of \$5,639.86; and

(d) Attorney's fees and costs in the amount of \$9,500.00 through November 30, 2005.

2. If further action by Plaintiffs to enforce this judgment is required, Plaintiffs may apply to this Court or to the Court in which enforcement is sought for further reasonable attorneys' fees and costs in addition to those set out in Paragraph 1 above. ~~See, 29 U.S.C. §1132(g)(2); Trucking Employees of North Jersey Welfare Fund, Inc. v. Bellezza Co., 57 Fed. Appx. 972 (3d Cir. 2003); Free v. Briody, 793 F.2d 807 (7th Cir. 1986); Sheet Metal Workers Health and Welfare Trust Fund v. Big D Service Co., 867 F.2d 852 (10th Cir. 1989).~~

3. This Consent Order and Judgment is subject to execution in any court of competent jurisdiction, and any and all terms of this Consent Order and Judgment may be enforced by Plaintiffs in any court of competent jurisdiction

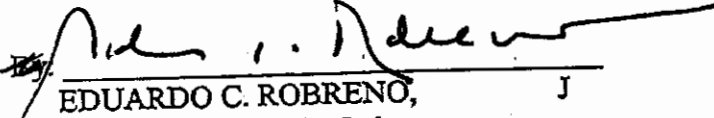
4. This Consent Order and Judgment is enforceable by the Plaintiffs individually, singly or jointly, or by their agent.

5. The Clerk of the Court may immediately certify this Consent Order and

Judgment for transfer to other jurisdictions upon the request of the Plaintiffs and payment of any required fee.

BY THE COURT

Date: 12/14/05


EDUARDO C. ROBRENO,
United States District Judge

12/15/05
mailed to:
B. Goldner
A. Lindley
W. Sullivan

JENNINGS SIGMOND

ATTORNEYS AT LAW

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U. S. DISTRICT COURT - DE
MISC. CASE # 06-33

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February 20, 2006

Clerk
J. Caleb Boggs Federal Bldg
844 North King Street
Wilmington, DE 19801-3519

**RE: Carpenters Health and Welfare Fund of Philadelphia and Vicinity, et al.
v. Byrne Millwork, Inc.**

Dear Clerk:

Regarding the above-referenced matter, enclosed please find a check for \$39.00 and the following:

- 1) Original certified copy of Consent Order and Judgment entered by the United States District Court for the Eastern District of Pennsylvania on December 14, 2005;
and,
- 2) Original Certification of Judgment for Registration in Another District (AO451 Form), along with a photocopy.

Kindly register the enclosed judgment in the United States District Court for the District of Delaware and time-stamp the enclosed copy of the AO451 Form and return to us in the enclosed self-addressed, stamped envelope. Thank you for your efforts.

Sincerely,



SHELLEY R. GOLDNER

SRG/ys
chwp00.27290
Byrne Millwork
cc: Ed Coryell
Robert Pierce
Joe Obuchowicz